

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JENAL EVANS,

Plaintiff,

19-cv-05012 (LJL)

-v-

ORDER

84 WEST 188 REALTY LLC,

Defendant.

LEWIS J. LIMAN, United States District Judge:

Plaintiff Jenal Evans filed a Complaint in this case on May 29, 2019. (Dkt. No. 2.) On April 14, 2020, defendant 84 West 188 Realty LLC moved to dismiss the Complaint. (Dkt. Nos. 15, 16.) The Court held a conference on May 4, 2020 at which it ordered Plaintiff to submit a response no later than June 1, 2020. (Dkt. No. 18.) On June 1, 2020, Plaintiff timely filed an amended complaint. (Dkt. No. 20.)

Paragraph 3(B) of the Court's Individual Practices in Civil Cases (which were served on plaintiff Jenal Evans on May 4, 2020 (Dkt. No. 19) and which are also available at <https://nysd.uscourts.gov/hon-lewis-j-liman>) explains:

If the plaintiff amends its pleading, absent objection by a defendant, the Court will deny the motion to dismiss, as moot, without prior notice to the parties. The moving party may then (a) file an answer, (b) file a new motion to dismiss, or (c) submit a letter-motion stating that it relies on the initially-filed motion to dismiss. In the event of (c), the Court will treat the initially-filed motion to dismiss as a new motion to dismiss the amended pleading.

Accordingly, the previously-filed Motion to Dismiss (Dkt. Nos. 15, 16) is DENIED AS MOOT.

SO ORDERED.

Dated: June 3, 2020
New York, New York



LEWIS J. LIMAN
United States District Judge